



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Morimasa Yoneoka
Appl. No.: 10/775,984
Filed: February 9, 2004
Title: SEPARABLE END STOP FOR SLIDE FASTENERS
Art Unit: 3677
Examiner: Unknown
Docket No.: 1141241-016

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF OMITTED
ITEMS IN A NONPROVISIONAL APPLICATION**

Sir:

Applicant received a Notice of Omitted Items in a Nonprovisional Application dated August 20, 2004. The Notice alleges that Figures 12 – 16 were omitted from the filing of the application.

In response, Applicant petitions the Patent Office to acknowledge receipt of all of the figures with the filing of this application on February 9, 2004. In the event that the petition is denied, a copy of Figures 12 – 16 is enclosed and Applicant requests acknowledgment of receipt of those figures as of the mailing date of this Response by Express Mail.

PETITION TO ACKNOWLEDGE RECEIPT OF DRAWINGS

Although the Notice alleges that Figures 12 – 16 were omitted from the filing of this application, Applicant respectfully submits that all of the figures were in fact submitted with the filing of this application. Applicant petitions the Patent Office to acknowledge receipt of the allegedly omitted drawings (Figs. 12 - 16) as of February 9, 2004.

This application, including sixteen sheets of formal drawings, was submitted to the Patent Office on February 9, 2004, by Express Mail. The Express Mail No. is EV 351203045 US. A copy of the Express Mail receipt with a U.S. Post Office sign-in date of 2-9-04 is enclosed. Furthermore, a copy of a Certificate of Mailing by Express Mail (37 C.F.R. 1.10) submitted with the filing of this application is enclosed. The Certificate identifies the Express Mail Label No. as

EV 351203045 US. The Certificate identifies that sixteen sheets of formal drawings were submitted with the mailing of the application on February 9, 2004. Even further, a copy of the postcard submitted with the filing of this patent application is enclosed. The postcard is stamped by the Patent Office with the date of February 9, 2004. Item No. 3 on the postcard identifies that sixteen sheets of formal drawings were submitted to the Patent Office with the filing of this application. Furthermore, a certified copy of the Japanese Priority Document (2003-041185) was also submitted with the filing of this application on February 9, 2004. See the Certificate of Mailing and the postcard. The certified copy of the priority document also included all of the drawing figures for this application. Accordingly, in addition to the actual submission of the formal drawings on February 9, 2004, the certified copy of the priority document provides a second set of all figures.

Applicant respectfully submits that the Patent Office's indication that the drawings were not submitted with the filing of this application is erroneous.

A check in the amount of \$130 for the petition fee is enclosed. Applicant requests that the full amount of the petition fee be refunded because the items (Figs. 12 – 16) were submitted to and received by the Patent Office. A copy of the Notice is enclosed. As a courtesy, an additional copy of drawings of Figs. 12 – 16 is enclosed.

We request the refund of the petition fee be credited to our Deposit Account No. 50-3189.

PROVISIONAL PETITION TO SUPPLY THE OMITTED FIGURES

In the event that the above petition to acknowledge receipt of the figures with the filing of this application is denied, Applicant includes a copy of drawings of Figs. 12 – 16 with this Response. Applicant provisionally petitions the Patent Office under 37 C.F.R. § 1.182 to accept the date of this submission by Express Mail as the filing date of the above-identified application. A copy of the Notice is also enclosed. Applicant respectfully submits that an additional Declaration is not required because the Declaration and Power of Attorney for Patent Application submitted with the filing of this application pertains to the entire patent application, including the allegedly omitted figures. For example, see the figures in the certified copy of the Japanese priority document submitted with the filing of this application, and referenced in the Declaration signed by the inventor.

If this provisional petition to submit the drawings must be considered by the Patent Office due to denial of the first petition above, please charge Deposit Account No. 50-3189 the \$130 petition fee for this second petition.

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Although the petition fees are addressed above, please charge Deposit Account No. 50-3189 for any other required fees associated with responding to the Notice.

Dated: October 20, 2004

Respectfully submitted,

EVEREST INTELLECTUAL
PROPERTY LAW GROUP

BY 

Michael S. Leonard
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P.O. Box 708
Northbrook, Illinois 60065
Phone: (847) 790-7622

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In re Patent Application of: Morisasa Yoneoka
SEPARABLE END STOP FOR SLIDE FASTENERS
 Docket No.: 114141-016 Serial No. (Unknown)

On the date stamped hereon the U.S. Patent & Trademark
 Office hereby acknowledges the receipt of the following:

1. Certificate of Express Mail (duplicate);
2. Transmittal Letter (duplicate);
3. Specification (21 pgs.);
4. Formal Drawings (16 sheets);
5. Executed Declaration and Power of Attorney (3 pgs.);
6. Submission of Priority Document (1 pg.);
7. Certified Copy of Japanese Priority Document (2003-041185);
8. Information Disclosure Statement (2 pgs.);
9. PTO Form 1449 (1 pg.);
10. Three References; and
11. Check in the amount of \$770.00.

Mailed on February 9, 2004 via express mail EV 351203045 US (MXL)

22563 U.S. PTO
 10/775984

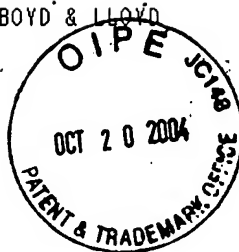


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Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10

Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter (duplicate);
2. Specification (21 pgs.);
3. Formal Drawings (16 sheets);
4. Executed Declaration and Power of Attorney (3 pgs.);
5. Submission of Priority Document (1 pg.);
6. Certified Copy of Japanese Priority Document (2003-041185);
7. Information Disclosure Statement (2 pgs.);
8. PTO Form 1449 (1 pg.);
9. Three References;
10. Assignment Recordation Form Cover Sheet (1 pg.);
11. Assignment (1 pg.);
12. Check in the Amount of \$770.00;
13. Check in the amount of \$40.00; and
14. Two Return Receipt Postcards

Appl. No: Unknown

are being deposited with the United States Postal Service with sufficient postage as Express Mail
in an envelope addressed to:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on February 9, 2004.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

Renee Street

Name of Person Mailing Correspondence

Signature

EV 351203031 US

Express Mail Mailing Label Number

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